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(4)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR
CHHATTISGARH

W.P. NO. 2079 **/2003**

PETITIONER :1. South Eastern Coalfields Ltd. Through " Chief General Manager, South Eastern Coalfields Ltd. Hasdeo Area, P.O. South Jhagrakhand, Distt. Korea, Chhattisgarh

2. Sub-Area Manager South Eastern Coalfields Ltd. Rajnagar Sub-Area, P.O. Rajnagar colliery, Distt. Shahdol (M.P.)

P. R. No. 1995/03
Presented by Shri Manoj Mishra
dated 18.03.03

VERSUS

RESPONDENTS :1 The State of Chhattisgarh Through the Secretary Deptt. of Home & Transport Secretariat, Raipur.

2. Regional Transport Officer Shahdol

3. Addl. Regional Transport Officer, Ambikapur, Surguja

D COPY.
18/7/03
A.G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA

XI-HC-22

(56)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 2099/ सन् 2003

विरुद्ध

आदेश का क्रमांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

22.7.2003

Petitioners by Shri P.S.Nair, Senior Advocate with Shri Pankaj Shrivastava, Advocate.

Shri Sanjay K. Agarwal, Deputy Advocate General takes notice on behalf of Respondents No. 1 and 3.

Heard learned counsel for the parties.

Shri Nair submits that though the whole tax has been deposited, the school bus having registration No. M.P.L. 8076 which was being used for carrying the school going children has been unnecessarily seized and lying with the Respondent No.3.

Shri Agarwal submits that the tax is still outstanding against the seized bus as shown in Annexure P/1, unless the tax amount is paid the vehicle cannot be released.

During the course of submission Mr. Nair agreed that whatever tax is legally due against the petitioner, if two months time is granted to the petitioner for depositing the same, the petitioner will deposit that tax amount.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case I am of the opinion that it would be just and proper to pass an order that if the petitioner gives

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.2099/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

an undertaking to the satisfaction of Respondent No.3 to the effect that within a period of two months the outstanding tax will be deposited with the Respondent No.3, the bus in question be released and if the petitioner fails to deposit the tax within the period of two months from today then the respondent No.3 will be at liberty to seize the bus again and take such proceedings against the petitioner as is available under the law.

With the above observation this petition is disposed of.

Certified copy as per Rules.

Sd/-
L.C. Bhadoo
Judge

Thanks

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